

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

DAVID A. GABALDON,

Plaintiff,

v.

CIV 17-0473 LH/KBM

NEW MEXICO COALITION TO END
HOMELESSNESS; "THE HOPE CENTER";
"ST. MARTIN'S HOSPITALITY CENTER";
GSL PROPERTIES, INC.; LAS BRISAS;
HUD DEPT. HOUSING AND URBAN
DEVELOPMENT,

Defendants.

**ORDER ADOPTING CHIEF MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

On May 30, 2017, the Chief Magistrate Judge filed her Proposed Findings and Recommended Disposition (*Doc. 25*), in which she recommended that the Motion to Dismiss filed by the United States Department of Housing and Urban Development (*Doc. 13*) be granted and that this action be remanded to the Second Judicial District Court for the State of New Mexico in Bernalillo County. The proposed findings notified the parties of their ability to file objections and that failure to do so waives appellate review. As of today, no objections have been filed and there is nothing in the record indicating that the proposed findings were not delivered.


Wherefore,

IT IS HEREBY ORDERED AS FOLLOWS:

1. The Chief Magistrate Judge's Proposed Findings and Recommended Disposition (*Doc. 25*) is **ADOPTED**;
2. The United States Department of Housing and Urban Development's (HUD's or United States') Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(1) and

Supporting Memorandum (*Doc. 13*) is **GRANTED**.

3. That this case is **REMANDED** to the Second Judicial District Court for the State of New Mexico in Bernalillo County.



SENIOR UNITED STATES DISTRICT JUDGE